

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

CLERK'S OFFICE

NOTICE OF FILING

DOCKET NO. 2018-32-C

Joint Application of Birch Communications, Inc. and Birch Telecom of the South, Inc. for Approval of Corporate Restructuring

Birch Communications, Inc. (Birch) and Birch Telecom of the South, Inc. (Birch Telecom) have filed with the Public Service Commission of South Carolina (the Commission) a Joint Application for authority to undertake an internal corporate reorganization, which will result in the transfer of certain assets and customers from Birch to Birch Telecom, and from Birch Telecom to Birch. The Joint Application was filed pursuant to S.C. Code Ann. §§58-9-280, 58-9-300, and 58-9-310.

In a Joint Notice dated November 30, 2017, Birch and Birch Telecom explained that they would implement an internal corporate reorganization to segregate their residential and single-line business customers from their large business and cloud service customers with Birch Telecom serving the residential and single-line business customers and Birch serving the large business and cloud service customers. To accomplish the internal reorganization, any residential and single-line business customers currently served by Birch in South Carolina will be assigned to Birch Telecom. Similarly, any large business and cloud service customers currently served by Birch Telecom in South Carolina will be assigned to Birch. Upon consummation of the Fusion Transaction, Birch Telecom will be spun-off to a newly formed holding company, Lingo Communications, LLC (Lingo), which will be owned by the existing owners of Birch and Birch Telecom.

The Application states that both companies currently operate under the "Birch Communications" name, and customers will continue to receive service from "Birch Communications" in the same way they receive service today: the same rates, terms, and conditions.

A copy of the company's Application can be found on the Commission's website at www.psc.sc.gov under Docket No. 2018-32-C. Additionally, a copy of the application is available from the office of Charles L.A. Terreni, Terreni Law Firm, L.L.C., 1508 Lady Street, Columbia, SC 29201.

Any person who wishes to participate in this matter as a party of record, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before **March 14, 2018**, by filing the Petition to Intervene with the Commission, by providing a copy to the Office of Regulatory Staff and by providing a copy to all parties of record. For the receipt of future Commission correspondence, please include an email address in the Petition to Intervene. ***Please refer to Docket No. 2018-32-C and mail a copy to all other parties in this docket.*** Any person who seeks to intervene and who wishes to testify and present evidence at the hearing, if scheduled, should notify, in writing, the Commission; the Office of Regulatory Staff at 1401 Main

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Street, Suite 900, Columbia, South Carolina 29201; and the company at the above address, on or before **March 14, 2018**. *Please refer to Docket No. 2018-32-C.*

A public hearing, if scheduled, will be held in Columbia, South Carolina in the offices of the Commission located at 101 Executive Center Drive, Suite 100, Columbia, South Carolina 29210, for the purpose of receiving testimony and other evidence from all interested parties regarding this Application. The time and date of this hearing will be furnished to all interested parties at a later date.

For the most recent information regarding this docket, including changes in scheduled dates included in this Notice, please refer to www.psc.sc.gov and *Docket No. 2018-32-C*.

Persons seeking information about the Commission's procedures should contact the Commission at (803) 896-5100 or visit its website at www.psc.sc.gov.

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